



Order Filed on June 1, 2018 by
Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

WARREN S. JONES, JR., ESQ. #003781980
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FHAC.241-6337

In Re:

Tricia L. Posey

Case No.: 15-23193-JNP

Adv. No.:

Hearing Date: 5/8/18 @ 10:00 a.m.

Judge: Poslusny

CONSENT ORDER RE ADEQUATE PROTECTION

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: June 1, 2018

A handwritten signature in black ink, appearing to read "J. Poslusny", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Tricia L. Posey

Case No. 15-23193-JNP

Caption of Order: Consent Order Re Adequate Protection

IT IS HEREBY CONSENTED by and between Movant, Bank of America, N.A., its assignees and/or successors in interest, through its retained counsel, Warren S. Jones, Jr., Esquire, for Prober & Raphael, A Law Corporation, and Debtor, Tricia L. Posey, through her counsel, Stacey L. Mullen, Esquire, as follows:

1. Debtor shall maintain the regular monthly payments on Movant's loan obligation, and otherwise comply with all other terms of the subject Note and Mortgage, including, but not limited to, the requirement to maintain insurance naming Movant as the loss payee, encumbering the subject Property, generally described as **16 Laguna Drive, Magnolia, NJ 08049**, in a timely fashion, commencing with the June 1, 2018 payment. Payments on Movant's loan obligation shall be made to Movant's servicing agent, Carrington Mortgage Services, LLC, Bankruptcy Department, P.O. Box 3730, Anaheim, CA 92806.
2. Debtor shall pay off arrearages in the total amount of \$18,443.03, representing the July 2017 through May 2018 monthly payments, plus attorneys' fees and costs of \$531.00, less applied suspense of \$-1,489.72. Said arrearages shall be paid through the Debtor's Chapter 13 Plan. Movant may file a Supplemental Proof of Claim to reflect the addition of said fees.
3. In the event Debtor fails to timely and properly comply with the payments set hereinabove, or any other terms of the subject Note and Mortgage including, but not limited to, the requirement to maintain insurance naming Movant as the loss payee, Movant may file and serve a Declaration Re Breach of Condition on Debtor and Debtor's counsel. Debtor shall have ten (10) days from the date of service of said Declaration within which to cure the existing breach. A cure of the breach shall include, but not be limited to, any late charges, costs and/or advances due pursuant to the Note. If Debtor fails to do so, then on the eleventh (11th) day, Movant shall serve and lodge a Declaration Re Non-Compliance along with a final Order for Relief from the Automatic Stay. Absent a showing that the required payments were timely tendered to and received by Movant, in good funds, the Court shall cause said Order to be entered. Upon the entry of said Order, the Automatic Stay in the above-entitled bankruptcy proceeding shall be immediately vacated and extinguished for all purposes as to Movant, allowing Movant to proceed with foreclosure of the subject Property, pursuant to applicable State law.
4. Any funds received by Movant, which are subsequently returned for non-sufficient funds, including funds received and applied prior to the terms of this Order, shall be subject to the default provisions contained herein.
5. Should Movant obtain relief from the automatic stay due to a breach of the terms of this Order, any Order for Relief from the Automatic Stay shall provide for the 14-day stay described by Bankruptcy Rule 4001(a)(3) to be waived.
6. In the event the instant bankruptcy proceeding is dismissed or discharged, this Consent Order shall be terminated and have no further force or effect.

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Debtor: Tricia L. Posey

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7. A Notice of Fees, Expenses, and Charges pursuant to Bankruptcy Rule 3002.1(c) is not required for the fees and costs included and disclosed as part this Order.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.


By /s/ Warren S. Jones, Jr.
WARREN S. JONES, JR., ESQUIRE
Retained Counsel for Movant


By STACEY L. MULLEN
Attorney for Debtor
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CERTIFICATE OF MAILING

I hereby certify that on _____, 20____, a copy of the foregoing Order was served on each of the following: Movant.

JAMES J. WALDRON, CLERK